

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GENE LOMBARD,	:	CIVIL ACTION
	:	
Petitioner,	:	NO. 07-02650
	:	
v.	:	
	:	
MARY E. SABOL, et al.,	:	
	:	
Respondents.	:	

ORDER

AND NOW, this 25th day of July, 2008, upon careful and independent consideration of Petitioner Gene Lombard's Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254, the Respondents' Response thereto, and subsequent pleadings, and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey dated June 30, 2008, and Petitioner's Objections thereto, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED by this court as its own;
2. The Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254 is DENIED and DISMISSED AS UNTIMELY FILED; and
3. There is no basis for issuance of a certificate of appealability.

BY THE COURT:

S/ James T. Giles

J.